

NOTICE OF OBJECTION TO CONFIRMATION

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
50 Walnut Street, 3rd Floor  
Newark, NJ 07102**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will **receive** it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054

MARIE-ANN GREENBERG, Trustee  
30 TWO BRIDGES RD, SUITE 330  
FAIRFIELD, NJ 07004

Attend the hearing scheduled to be held on 10/25/2018 in the NEWARK Bankruptcy Court, in Courtroom 3D, at the following address:

**U.S. Bankruptcy Court  
50 Walnut Street, 3rd Floor  
Newark, NJ 07102**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: October 18, 2018

/s/ Craig Keiser  
Craig Keiser, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext.  
Fax: 856-813-5501  
Email: Craig.Keiser@phelanhallinan.com

**File No. 815489**

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road

Mt. Laurel, NJ 08054

856-813-5500

FAX Number 856-813-5501

U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST

In Re:

LUZ M. NORTON

Debtors

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
NEWARK VICINAGE

Chapter 13

Case No. 16-28606 - JKS

Hearing Date: 10/25/2018

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, the holder of a Mortgage on debtors residence located at 31 CLINTON PLACE, UNIT 4, MORRISTOWN, NJ 07960 hereby objects to the Confirmation of the debtors proposed Chapter 13 Plan on the following grounds:

1. Movant is U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST.
2. On April 28, 2017, Movant filed Proof of Claim listing pre-petition arrears in the amount of \$55,676.01.
3. Debtor's Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
4. Debtor's Plan currently provides for payment to Movant in the amount of \$7,077.81, but fails to properly identify the secured creditor as U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST.
5. Debtor's Plan provides for the Debtor's pursuit of a loan modification. Debtor's Plan is speculative in nature in that the Plan contemplates curing the arrears through a loan modification that has neither been offered nor approved.

6. Movant objects to Debtor's Amended Plan as it is underfunded. Debtor's Amended Plan should be further amended to fully fund the arrears owed to Movant.

7. Debtor's Modified Plan appears to provide for entry into the Court's Loss Mitigation Program and the accompanying adequate protection payments. Movant objects to adequate protection payments and requires full monthly post-petition payment owed to Movant under the terms of the Note and Mortgage. Movant objects to any post-petition payment amount less than 100% of what is required. Accordingly, confirmation of Debtor's proposed Plan should be denied.

WHEREFORE, U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST respectfully requests that the Confirmation of Debtors Plan be denied.

/s/ Craig Keiser  
Craig Keiser, Esq.  
Phelan Hallinan Diamond & Jones, PC  
400 Fellowship Road, Suite 100  
Mt. Laurel, NJ 08054  
Tel: 856-813-5500 Ext.  
Fax: 856-813-5501  
Email: [Craig.Keiser@phelanhallinan.com](mailto:Craig.Keiser@phelanhallinan.com)

Dated: October 18, 2018

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

815489

Phelan Hallinan Diamond & Jones, PC

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

856-813-5500

Attorneys for U.S. BANK TRUST, N.A., AS  
TRUSTEE FOR LSF9 MASTER PARTICIPATION  
TRUST

In Re:

Luz M. Norton

Case No: 16-28606 - JKS

Hearing Date: 10/25/2018

Judge: JOHN K. SHERWOOD

Chapter: 13

**CERTIFICATION OF SERVICE**

1. I, MICHAEL ROCKS:

represent the \_\_\_\_\_ in the above-captioned matter.

am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC,  
who represents U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9  
MASTER PARTICIPATION TRUST in the above captioned matter.

am the \_\_\_\_\_ in the above case and am representing  
myself.

2. On October 18, 2018 I sent a copy of the following pleadings and/or  
documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent  
using the mode of service indicated.

Dated: October 18, 2018

/s/ MICHAEL ROCKS  
MICHAEL ROCKS

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Luz M. Norton 31 Clinton Place, Unit 4 Morristown, NJ 07960	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Russell L. Low, Esquire Low & Low 505 Main St. Suite 304 Hackensack, NJ 07601	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg, Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.